

Application Serial No. 10/763,655
Reply to Office Action of December 14, 2005

PATENT
Docket: CU-3548

REMARKS

In the Office Action, dated December 14, 2006, the Examiner states that Claims 1-9 are pending, and Claims 1-9 are rejected. By the present Amendment, Applicant amends the specification, and the claims.

In the Office Action, Claim 8 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The indefiniteness is caused by the word "respectively" in the splitting step of Claim 1, which has been deleted, as well as in Claim 9, the Summary of the Invention, and the Abstract.

In the Office Action, Claims 1-7 are rejected under 35 U.S.C. §102(a) as being anticipated by Chan et al. ("The measurement of optical properties of a multiple scattering medium based on diffused photon pair density wave"). Claims 8 and 9 are also rejected under 35 U.S.C. §103(a) as being unpatentable over Chan et al. The Applicant respectfully disagrees with and traverses these rejections.

Chan et al. was mistakenly submitted in an Information Disclosure Statement (IDS) in the present application. Chan et al. is in fact not a prior art reference. Chan et al. was authored by the inventors of the present application as explained in the accompanying affidavit, and is the basis for the present application. Chan et al. was first published between January 26, 2003 and January 28, 2003, while the present application was filed on January 23, 2004, within one year from the publication of the invention. Thus, Chan et al. is not a proper prior art reference.


The Applicants apologize for the confusion which was caused by the mistaken submission of Chan et al in an IDS.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

April 11, 2006

Date

Respectfully submitted,



Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613